

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

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Order Filed on January 25, 2018

by Clerk

U.S. Bankruptcy Court
District of New Jersey

In Re:

JOSEPH THOMAS CARRANO AND
RUTH ELAINE CARRANO

Case No.: 16-22887-MBK

Adv. No.:

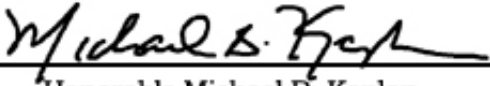
Hearing Date:

Judge: Hon. Michael B. Kaplan

**CONSENT ORDER ON STIPULATION RESOLVING DEBTORS' MOTION TO ENFORCE
CHAPTER 13 PLAN, COMPEL ALLOCATION OF MORTGAGE PAYMENTS,
PAYMENT OF PROPERTY TAXES, INSURANCE AND DAMAGES PER 11 U.S.C.
§524(i)**

The relief set forth on the following pages, numbered two (2) through _____ is
hereby **ORDERED**.

DATED: January 25, 2018


Honorable Michael B. Kaplan
United States Bankruptcy Judge

WARREN S. JONES, JR., ESQUIRE
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UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY
TRENTON DIVISION

In Re:

JOSEPH THOMAS CARRANO AND
RUTH ELAINE CARRANO,

Debtors.

Bk. No. 16-22887-MBK

Chapter 13

**STIPULATION RESOLVING
DEBTORS' MOTION TO ENFORCE
CHAPTER 13 PLAN, COMPEL
ALLOCATION OF MORTGAGE
PAYMENTS, PAYMENT OF
PROPERTY TAXES, INSURANCE AND
DAMAGES PER 11 U.S.C. §524(i)**

IT IS HEREBY STIPULATED by and between JOSEPH THOMAS CARRANO and RUTH ELAINE CARRANO (hereinafter referred to as "Debtors"), by and through their attorney of record, Steven J. Abelson; and KONDAUR CAPITAL CORPORATION as servicing agent of Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust, not in its individual capacity but solely in its capacity as Owner Trustee of Matawin Ventures Trust Series 2017-2, secured creditor in the above-entitled Bankruptcy proceeding, its assignees and/or successors in interest (hereinafter "Kondaur"), (hereinafter referred to as "Secured Creditor"), by and through its attorney of record, Warren S. Jones, Jr., :

RECITALS

- A. Debtors are individuals who filed a Chapter 13 on July 2, 2016. Debtors' Chapter 13 Plan was confirmed November 8, 2016.

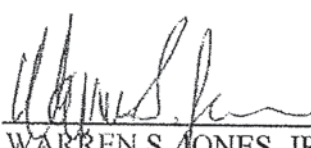
- B. Ocean First Bank transferred its claim to Secured Creditor with respect to the real property located at **351 Enterprise Drive, Forked River, NJ 08731** (hereinafter the "Property") on or about August 21, 2017.
- C. Debtors filed a Motion to Enforce Chapter 13 Plan, Compel Allocation of Mortgage Payments, Payment of Property Taxes, Insurance and Damagers Per 11 U.S.C. §524(i) (hereinafter referred to as "Motion") on December 7, 2017.
- D. The Motion requested 1) Kondaur file a transfer of claim; 2) Ocean Front Bank turn over funds to Kondaur; 3) that the property taxes be paid and that the late charge and penalty part of the taxes owed not be charged back to the Debtors; and 4) that Kondaur pay Debtors' attorney fees of \$750.00.

THE PARTIES HEREBY STIPULATE AS FOLLOWS:

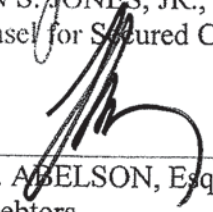
1. Secured Creditor filed a Transfer of Claim on January 3, 2018.
2. Ocean First Bank has turned over funds it received from the Chapter 13 Trustee since the transfer occurred.
3. Secured Creditor has escalated the auditing process in order to pay the property taxes and agrees that late charges or fees associated with the payment of such taxes will not be surcharged to the Debtors.
4. Secured Creditor has agreed to pay \$500.00 to Debtors' counsel.
5. This Stipulation shall be subject to Bankruptcy Court approval.

Counsel for Debtor and Secured Creditor have received authority to execute this Stipulation on behalf of their respective clients.

Dated: 1-22-18

By: 
WARREN S. JONES, JR., ESQUIRE
Retained Counsel for Secured Creditor

Dated: _____

By: 
STEVEN J. ABELSON, Esquire
Attorney for Debtors